IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3753 OF 2004

IN

SUIT NO. 9 OF 2005

Rajiva Exports Pvt. Ltd. ... Plaintiffs.

vs.

Seth Shipping Corporation and another. ... Defendants.

Mr.A.M.Vernekar, for Plaintiffs.

None for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 19th January, 2006

P.C.:-

1. This is a notice of motion taken out by the plaintiffs. The defendants have been served. Affidavits of service have been filed. The defendants are not appearing. They have also not filed any affidavit in reply. There is already an ad-interim order passed. In the absence of any affidavit filed in reply, accepting the averments in the affidavit filed in support of notice of motion at face value, the ad-

interim order dated 13.12.2004 is confirmed with the modification that "on the plaintiffs furnishing Bank Guarantee of a Nationalised Bank in the amount of Rupees Four Lakhs to the satisfaction of the Prothonotary and Senior Master of this Court". The Prothonotary and Senior Master of this Court shall allow plaintiffs to withdraw the amount of Rs.4 lakhs deposited by the plaintiffs in the Court pursuant to the order dated 13.12.2004 with accruals, if any. Notice of Motion is disposed of.